

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID L. TAYLOR,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 18-5
)	Judge Nora Barry Fischer
)	
PRIME CARE MEDICAL, INDIANA)	
COUNTY, LESLEY SIMMONS, and)	
SAM BUZZINOTTI,)	
)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff David Taylor brought this *pro se* civil rights action against defendants Prime Care Medical, Indiana County, Lesley Simmons, and Sam Buzzinotti (collectively, “Defendants”) alleging violations of his Constitutional rights while he was incarcerated at the Indiana County Jail. The Defendants moved to dismiss Plaintiff’s complaint under Rule 12(b)(6) of the Federal Rules of Civil Procedure (Docket Nos. 12, 16), and Chief Magistrate Judge Maureen P. Kelly ordered Plaintiff to respond to those motions by April 18, 2018. (Docket No. 18). Plaintiff did not respond, nor did he file a judicial election form as he was directed to do. On April 25, 2018, Judge Kelly issued an Order to Show Cause directing Plaintiff to explain why his failure to respond should not result in dismissal of his complaint. (Docket No. 22). Again, Plaintiff did not respond. Thereafter, Judge Kelly prepared a Report and Recommendation, in accordance with the Magistrates Act, 28 U.S.C. §636(b)(1), and Rule 72.D of the Local Rules, recommending that Plaintiff’s complaint be dismissed for failure to prosecute. (Docket No. 23). Objections to the report and recommendation were due June 11, 2018. (*Id.*) To date, no objections have been received.

After *de novo* review of the complaint, the documents in this case, and the Report and Recommendation, the following order is entered:

AND NOW, this 26th day of June, 2018,

IT IS HEREBY ORDERED that Plaintiff's Complaint is dismissed for failure to prosecute and that judgment is entered in favor of Defendants and against Plaintiff on all claims in this case. Defendants' pending motions to dismiss (Docket Nos. [12], [16]) are denied as moot.

The Report and Recommendation of Chief Magistrate Judge Kelly (Docket No. [23]), dated May 25, 2018, is adopted as the opinion of the Court.

s/Nora Barry Fischer
Nora Barry Fischer
United States District Judge

cc/ecf: Maureen P. Kelly
Chief U.S. Magistrate Judge

David Taylor
Indiana County Jail
665 Hood School Road
Indiana, PA 15701
(By U.S. and Certified Mail)

All counsel of record